IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7688 OF 2007

Shri Rajeshwar Virupashkappa Shivdare .... Petitioner

Vs.

The Asstt. Registrar of Co-op. Society & Ors. .... Respondents

Mr. Surel S. Shah for Petitioner

Mr. P.S. Cardozo, AGP for respondent Nos. 1 and 2
Mr. Rajiv Patil with Mr. A.S. Kulkarni for respondent no. 9

CORAM : A.P. DESHPANDE, J.
DATE : 17TH OCTOBER, 2007

P.C.

1) Rule. Rule made returnable forthwith.

2) By consent of the parties taken up for final hearing.

3) Learned Counsel for the Petitioner is pressing in service a limited prayer by seeking a direction against respondent No. 19 for deciding the stay application within time bound period.

4) The submission made by the petitioner is that he has filed revision under Section 154 of the Maharashtra Co-Operative Societies Act, taking exception to an order passed by the Divisional

Joint Registrar under Section 152 of the Maharashtra Co-operative Societies Act and along with the Revision Application, the petitioner has filed the stay application.

5) The grievance is that the stay application is pending for quite some time and no orders are passed on the stay application, hence the present Writ Petition has been filed. The submission is that though there is an alternative remedy, the same is not efficacious, as the concerned Minister has not considered the Stay Application. The learned AGP appearing for the State Government submits that if so directed, the State Government will decide the stay application within a period of three weeks from today. In the result, keeping all questions raised before the revisional authority open, I direct the respondent No. 19 to dispose of the stay application by passing appropriate order in accordance with law, within a period of three weeks from today.

6) Shri Rajiv Patil, learned Advocate appearing for respondent no. 3 in all fairness submits that he has filed caveat in the revision pending before the Government on behalf of respondent Nos. 3 to 16 and thus submit that all the parties would appear before the revisional

authority on 24th October 2007 and notice be dispensed with. Hence, notices to the parties by the revisional authority stand dispensed with.

7) Rule made absolute in above terms.

(A.P. DESHPANDE, J.)